

Applicant: Katsushi Ohizumi et al.

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**REMARKS**

This is in response to the non-final Official Action currently outstanding in the above-identified application.

Claims 1-19, 22 and 25-29 were pending in the above-identified application at the time of the issuance of the currently outstanding non-final Official Action. Claims 20, 21, 23 and 24 were canceled, without prejudice, previously by Preliminary Amendment. By the foregoing Amendment, Applicants have amended Claims 1, 26, 28 and 29. Further, Claim 30 has been added. Also, Claim 25 has been canceled, without prejudice, in view of the fact that the content thereof now appears in Claims 1 and 26 as amended. No claims are withdrawn. Accordingly, upon the entry of the foregoing Amendment Claims 1-19, 22 and 26-30 will constitute the claims under active prosecution in the above-identified application.

The claims of the above-identified application as they will stand upon the entry of the foregoing Amendment are reproduced above including appropriate status identifiers and showing the changes being made as required by the Rules.

In the currently outstanding non-final Official Action, the Examiner has:

1. Our claim for foreign priority under 35 USC §119 (a)-(d) or (f) has been acknowledged by the Examiner, and he has confirmed the receipt by the United States Patent and Trademark Office of the required copies of the priority documents.
  
2. The Examiner also has acknowledged and accepted the formal drawings filed on, 13 December 2005.

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3. Further, the Examiner has rejected Claims 28 and 29 under 35 USC §101 as being directed to non-statutory subject matter.
4. Still further, the Examiner rejects claims 1-11, 13, 19, 22 and 25-29 under 35 USC §102(e) as being anticipated by Tsumagari (US Published Patent Application No. 2003/0161615).
5. In addition, Claim 12 is rejected under 35 USC §103(a) as being unpatentable over Tsumagari in view of Evans et al. (US Patent No. 7,469,410).
6. Further still, Claims 14-18 are rejected under 35 USC §103(a) as being unpatentable over Tsumagari in view of Proehl (US Patent No. 6,614,844).

No further comment regarding the remaining items 1-3 above is deemed to be required in these Remarks.

With respect to the remaining items listed above, however, Applicants have the following comments and counterarguments to the positions taken by the Examiner regarding the patentability of the presently amended claims.

In particular, regarding the Examiner's comments concerning non-statutory subject matter in Claims 28 and 29, Applicants by the foregoing Amendment of Claim 28 have now amended Claim 28 so as to particularly read on a computer-readable medium having encoded thereon a control program for causing a computer to serve as the component means of an information reproducing apparatus in accordance with any one of claims 1-6. As such, Applicants respectfully submit that the Examiner's rejection of Claim 28 as being directed to non-statutory subject matter under 35 USC 101 has been overcome.

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In addition, with respect to the Examiner's rejection of Claim 29 under 35 USC 101, Applicants note that the Examiner has suggested that this application be amended such that the computer-readable medium or equivalent be defined as NOT including the "signal", "carrier wave", or "transmission medium" which are deemed by him to constitute non-statutory subject matter. In response to this suggestion, Applicants, by the foregoing Amendment have deleted lines 10-13 of Page 78 of the present specification. Applicants respectfully submit that this amendment of the specification removes the basis for the Examiner's rejection of Claim 29 under 35 USC 101. Furthermore, to additionally clarify the intended scope of the claims of this application, the foregoing Amendment also alters the dependency relationship of Claim 29 from Claim 28 to any one of Claims 1 through 6. Hence, Applicants respectfully submit that Claim 29 as hereinabove amended now is in condition for allowance.

In addition, by the foregoing Amendment Claims 1 and 26 have been amended so as to incorporate the limitations of Claim 25 (now canceled, without prejudice). Applicants respectfully submit that this Amendment is supported by Fig. 2 of the present specification and also by Page 18, line 5, to Page 22, line 1 thereof. Incidentally, Applicants respectfully submit that New Claim 30 constitutes a further definition of the relationships depicted in Fig. 2 of the present specification between the scene, main function and additional information, and that on that basis New Claim 30 should be found to be allowable as well.

Returning now to the subject matter of Claim 25, now incorporated into Claims 1 and 26, Applicants believe that the currently outstanding Official Action suggests that the Examiner has not understood the relationships between the cited art and the present invention correctly. Specifically in this regard, the Examiner appears to Applicants to have concluded that the claimed additional functional information is recorded in a similar format to that of the content data. In this respect, Applicants agree that up until this Amendment Claim 25 was very broadly phrased, but nevertheless was clearly and definitely directed to the subject matter of Fig. 2 of the present specification. In other words, Applicants respectfully submit that Claim 25 is directed toward the feature of the present invention the prohibits a user function during a specified time frame.

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In support of this position (as well as the patentability of the present invention over the cited and relied upon art) Applicants respectfully note that the Tsumagari reference discloses inhibiting user operation. Specifically, this is done if the user operation is unexpected such that there is no corresponding ENAV script (see Figs. 16 and 17) or if the operation is not compatible with the DVD-Video playback engine 200 or with the DVD standard (see [0103]). In addition, the Tsumagari reference also discloses that in a mixed mode where both ENAV contents and DVD contents are displayed “..a scenario, storyboard, information of a movie, information of the casts and the like are switched and displayed in synchronism...with a contents (change in scene)” – see paragraph [0108]of Tsumagari.

*However, Applicants have not found anywhere in the Tsumagari reference a disclosure, teaching or suggestion that the allowance or prohibition of a manipulation input should or could be controlled based upon a predetermined time frame.*

Applicants therefore respectfully submit that despite the available teachings, disclosures and suggestions in the art available at the time that the present invention was made, the art cited and relied upon by the Examiner is not sufficient in and of itself and/or in combination with the presumed knowledge of one of ordinary skill in the art at the time of the present invention (without the direction of Applicants' specification) to render the claims as hereinabove presented unpatentable. Hence, entry of the foregoing Amendment, reconsideration and allowance of the above-identified application as hereinabove amended in response to this submission is respectfully requested.

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Applicants also believe that additional fees beyond those submitted herewith are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

Date: June 17, 2009

  
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**SIGNATURE OF PRACTITIONER**

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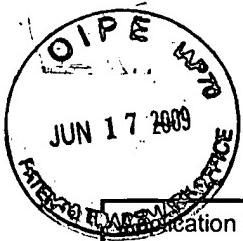
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Amendment (19 pages)  
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